

COMBINED DECLARATION UNDER
37 C.F.R. §§1.63 AND 1.75(a) AND
POWER OF ATTORNEY

Attorney Docket No.
I 852-002

IN REISSUE APPLICATION

INSULATED REMOVABLE POND COVER

CERTIFICATE OF EXPRESS MAILING

Express Mailing Label No. EH69938724405

Date of Deposit: March 28, 1997

I certify that the following papers (and or fee(s)) are
being deposited with the United States Postal Service
"Express Mail Post Office to Addressee: service under
37 CFR § 1.10 on _____, addressed
to the Commissioner of Patents and Trademarks,
Washington, D. C. 20231:

DECLARATION UNDER 37 C.F.R. §1.63

Respectfully submitted,

FRIEDERICH'S LAW FIRM, plc

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

Tracy Anoddy
As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to
my name.

I believe I am the original, first and sole inventor of the subject matter which is
claimed, and for which a patent was obtained and now a reissue patent is sought, on
the invention entitled **INSULATED REMOVABLE POND COVER** the specification of
which,

 x is attached hereto.

 x was described and claimed in United States Patent 5,400,549, issued March
28, 1995.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified
specification, including the claims, as amended by any amendment referred to above
and as added with this application for reissue. I believe I am the original, first and sole
inventor. I acknowledge the duty to disclose information which is known to me to be
material to the patentability of this application in accordance with Title 37, Code of
Federal Regulations, § 1.56.

DECLARATION

I declare that all statement made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARATION FOR REISSUE UNDER 37 C.F.R. 1.175(a)

REASONS FOR SEEKING REISSUE

In accordance with 37 C.F.R. 1.175(a)(1), "the applicant verily believes the original patent to be partly or wholly inoperative or invalid" by reason of having claimed less than he had a right to claim in the patent.

In accordance with 37 C.F.R. 1.175(3) applicant specifically believes that claim 1 as originally issued contains many unnecessary limitations. The core of the invention is as stated in the original abstract and summary of the invention, namely a multi-piece cover that can be assembled and disassembled. Claim 1 contains many more limitations than that necessary to describe this invention and distinguish it over the prior art. Further, claims were not directed to the inventive method of using the cover.

The papers filed herewith seek to correct these errors by including claims of varying scope that are different in scope from the claims presented in the original patent, including appropriate method claims directed to use of the cover.

THE ERRORS RELIED UPON AND HOW THEY OCCURRED

In accordance with 37 C.F.R. 1.175(a)(5) applicant identifies the error as the claims being too narrow in scope. In particular the claim as issued contains many limitations that are unnecessary to define over the prior art and are unnecessary to describe the invention. This error occurred as a result of a failure on the part of applicant's prior attorney's to appreciate the full scope of the invention at the time of prosecuting the patent. Applicant discovered these errors when applicant brought the patent to present counsel after issuance of the patent for review of an alleged incident of infringement.

STATEMENT OF APPLICANT'S INTENT

In accordance with 37 C.F.R. 1.175(a)(6), applicant avers that said errors arose without any deceptive intention on the part of the applicant.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the patent specification, including the claims, as amended by any amendment referred to above, including the present request for a reissued patent. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

DECLARATION

I declare that all statement made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

I appoint the following attorneys and agents to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation:

Norman P. Friederichs	Reg. No. 24,919
N. Paul Friederichs, III	Reg. No. 36,515
Paul L. Maeyaert	Reg. No. 40,076

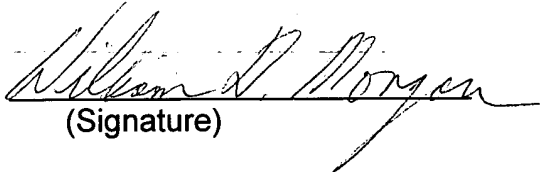
I ratify all prior actions taken by Friederichs Law Firm, plc. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

DESIGNATION OF CORRESPONDENCE ADDRESS

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Inventor:


(Signature)

Date:

28 March 1997

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